

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

ANTHONY RAY JOHNSON, )  
 )  
Plaintiff, )  
 ) Case No. 1:12-CV-66  
v. )  
 ) Collier/Lee  
COMMISSIONER OF SOCIAL SECURITY, )  
 )  
Defendant. )

**JUDGMENT ORDER**

On February 28, 2013, United States Magistrate Judge Susan K. Lee filed a report and recommendation (“R&R”) in this case, pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b) (Court File No. 14). Neither party has objected to the R&R within the given fourteen days.

After reviewing the record, the Court agrees with the R&R. The Court hereby **ACCEPTS** and **ADOPTS** the magistrate judge’s findings of fact, conclusions of law, and recommendations.

Accordingly, the Court **ORDERS**:

- (1) Defendant’s motion for summary judgment is **DENIED** (Court File No. 12);
- (2) Plaintiff’s motion for judgment on the pleadings is **GRANTED IN PART** and **DENIED IN PART** (Court File No. 10); and
- (3) The Commissioner’s decision denying benefits to Plaintiff is **REVERSED** and **REMANDED** pursuant to Sentence Four of 42 U.S.C. § 405(g) for action consistent with this order and the R&R.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**

ENTERED AS A JUDGMENT  
s/ Debra C. Poplin  
CLERK OF COURT